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BY THE COMPTROLLER GENERAL

Report To The Congress

OF THE UNITED STATES

Achieving Representation Of Minorities And Women In The Federal Work Force

The Federal Equal Opportunity Recruitment Program was established to increase recruitment of minorities and women for civil service employment. Although this is not a hiring program, it should lead to a more representative hiring of these groups.

Initial progress in implementing the Recruitment Program was slow, but agencies are committed to it and have made progress in recent months. However, some problems still remain.

The Office of Personnel Management and the Equal Employment Opportunity Commission need to clarify their roles and responsibilities for program guidance, monitoring, and evaluations to avoid inefficiencies and duplication of effort. In addition, several broad policy issues dealing with how to define and measure representation of minorities and women need to be resolved.



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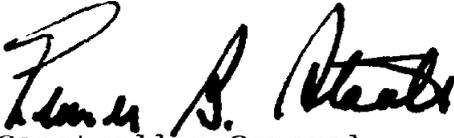
COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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To the President of the Senate and the
Speaker of the House of Representatives

This report presents our evaluation of how efficiently and effectively section 310 of the Civil Service Reform Act is being implemented. Section 310 established the Minority Recruitment Program to carry out the act's stated policy of providing the people of the United States with a competent, honest, and productive Federal work force reflective of the country's diversity. The review was undertaken as part of our evaluation of various aspects of civil service reform.

We are sending copies of this report to the Directors, Office of Management and Budget and Office of Personnel Management; the Chair, Equal Employment Opportunity Commission; and other interested persons.


Comptroller General
of the United States

D I G E S T

The Civil Service Reform Act of 1978 made Federal agencies responsible for establishing recruiting programs to eliminate underrepresentation of minorities and women in the Federal work force.

The act requires the Equal Employment Opportunity Commission to establish guidelines for agencies to use in carrying out the program and the Office of Personnel Management to issue regulations implementing a minority recruitment program.

The Office of Personnel Management required agencies to develop and have in operation by October 1, 1979, plans for eliminating underrepresentation of minorities and women. The Office reported in its annual report to the Congress that, as of January 1980, about 70 percent of the agencies were still developing plans.

Congressional hearings in June 1980 confirmed that agencies' progress in implementing the recruitment program has been slower than anticipated.

EMERGING POLICY ISSUES

Several policy issues which need to be resolved will affect the direction of the Government's efforts to recruit, hire, and promote minorities and women in sufficient numbers to achieve a representative work force.

These issues follow:

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provided in draft form in July 1979 and not finalized until September 1979. (See pp. 23 and 24.)

- Significant data collection requirements. For example, the Social Security Administration had to collect data manually from 40 district offices and 50 major components to calculate underrepresentation. (See pp. 24 and 25.)
- Uncertainty over the relationship between the recruitment program and the Affirmative Action Program. Instructions for developing affirmative action plans were not issued by the Equal Employment Opportunity Commission until December 1979. (See pp. 25 and 26.)

During the first year neither the Office of Personnel Management nor the Equal Employment Opportunity Commission had fully discharged its responsibilities for evaluating the recruitment program.

The Office of Personnel Management prepared a plan for evaluating the first year of the recruitment program which called for

- developing evaluation criteria and evaluating the program by using the Office's existing Personnel Management Evaluation System,
- addressing the effectiveness of the recruitment program in its annual report to the Congress, and
- developing a sampling plan for selecting agency recruitment plans for review.

However, because few plans had been developed and implemented in time to meet the deadline

reviews guidance and (2) what actions must be taken to resolve conflicts. (See pp. 28 and 29.)

The two agencies have not fully coordinated their evaluation efforts. Officials at both agencies were unsure about how field evaluations for the recruitment program and the Affirmative Action Program could be integrated into a systematic evaluation strategy. (See pp. 33 and 34.)

The Office and the Commission also differ on their approaches to measuring underrepresentation.

--They have defined occupational categories for which underrepresentation is to be computed differently. (See pp. 29 and 30.)

--The Office allows use of local civilian labor force data for all occupational groupings at General Schedule grade 4 or below. The Commission allows it only in limited circumstances. (See p. 30.)

--The Office requires that underrepresentation for professional positions be compiled by comparison with the civilian labor force. The Commission requires agencies to compare their professional work force with the professional labor force. (See pp. 31-33.)

Both the Office and the Commission have taken steps to promote efficiency and eliminate inconsistency in administering their program responsibilities, but, if additional actions are not taken, new delays in issuing further program guidance could occur and evaluations could be inconsistent and duplicative. Inconsistencies between the Office's and the Commission's approaches to measuring underrepresentation need to be resolved.

GAO further recommends that the Chair, Equal Employment Opportunity Commission, amend affirmative action guidelines to include appropriate occupational data and time frames as the baseline for establishing short-term and intermediate-range hiring goals.

MATTERS FOR CONSIDERATION BY THE CONGRESS

The Congress should consider the practical difficulties agencies face in trying to achieve a representative work force based on the Equal Employment Opportunity Commission's definition. The Congress may wish to clarify its intent on how representation should be defined and achieved.

AGENCY COMMENTS AND GAO'S EVALUATION

The Office of Personnel Management did not comment directly on the recommendations, but stated that the report presents an accurate and balanced assessment of its efforts to (1) implement the Federal Equal Opportunity Recruitment Program and (2) insure consistency between it and the Affirmative Action Program. The Office was concerned that the report implies that requirements for the two programs should be identical in every respect. In addition, it stated that the report's emphasis on recruitment from external sources ignores internal recruitment of underutilized minorities and women.

GAO recognizes that the recruitment program and the Affirmative Action Program are different programs with different goals. However, the two programs are highly interrelated. Recruitment to enrich the applicant pools from which selections are made should result in increased hiring of women and minorities. GAO does not intend to imply in this report that the two programs' requirements should be identical but that

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CHAPTER 1

INTRODUCTION

In the Civil Rights Act of 1964, the Congress adopted a basic antidiscrimination policy for Federal employment which states that:

"It is the policy of the United States to insure equal employment opportunities for employees without discrimination because of race, color, religion, sex, or national origin."

In 1972, however, the Congress found that minorities and women were significantly absent at higher levels in Federal employment and in some geographic areas where they constituted significant proportions of the population. These findings, among others, led to amending title VII of the Civil Rights Act of 1964 to cover Federal employment. The Equal Employment Opportunity Act of 1972 added section 717 to title VII to provide this coverage (42 U.S.C. 2000e-16).

In 1978 the Congress reaffirmed and amended its anti-discrimination policy for Federal employment. The Civil Service Reform Act of 1978 (Public Law 95-454) clearly states for the first time that a basic policy of civil service reform is to provide a competent, honest, and productive Federal work force reflective of the country's diverse population. This policy is to be implemented consistent with merit principles. The first merit principle states that recruitment should be from qualified individuals from appropriate sources to achieve a work force from all segments of society. Selection and advancement should be determined on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all persons receive equal opportunity.

Section 310 1/ of the act established the Minority Recruitment Program as a means of implementing this policy. It requires each executive agency to conduct a continuing recruitment program to eliminate underrepresentation of minorities in specific Federal job categories.

1/Section 310 of the Civil Service Reform Act of 1978 amended section 7151, title 5, United States Code (U.S.C.). Section 703(a)(1) of the Civil Service Reform Act then redesignated 5 U.S.C. 7151 as 5 U.S.C. 7201.

ROLES OF EEOC AND OFFICE OF PERSONNEL MANAGEMENT

Section 310 specifies program responsibilities of EEOC and the Office of Personnel Management (OPM).

Section 310 required that, within 60 days after the act's passage, EEOC establish guidelines to be used in carrying out the recruiting program; make determinations of underrepresentation which are proposed to be used initially under the program; and transmit these determinations to the agencies involved, to OPM, and to the Congress.

The law further directed that, within 180 days of enactment, OPM issue regulations to implement a minority recruitment program. The regulations were to provide, to the maximum extent practicable, for each agency to conduct a continuing recruitment program designed to eliminate minority and women underrepresentation in various categories of civil service employment.

OPM is also responsible for providing agencies with continuing assistance to carry out these programs, for conducting a continuing program of monitoring and supervision to determine the effectiveness of these program, and for reporting annually to the Congress not later than January 31 of each year.

In addition to the role established for EEOC by the act, EEOC has integrated FEORP into the affirmative action planning process required by section 717 of the Civil Rights Act of 1964 as amended. Section 717 requires agencies to maintain affirmative action programs to insure enforcement of Federal equal employment opportunity policy, to apply the same legal standards of prohibited discrimination established for private employers to the Federal Government, and to eliminate discrimination that the Congress found existed throughout the Federal employment system.

EEOC is responsible for reviewing and approving agency affirmative action plans. Agency FEORP plans are included as part of their affirmative action plans.

ROLES OF AGENCIES

Agencies are required, to the extent practicable, to develop recruiting programs to eliminate underrepresentation of minorities and women. The head of each agency is required to specifically assign responsibility for program

CHAPTER 2

EMERGING POLICY ISSUES FOR ACHIEVING

A REPRESENTATIVE WORK FORCE

With the passage of the Civil Service Reform Act of 1978, the Government, for the first time, must try to have a work force which specifically reflects the labor force of the United States.

However, during the first year of implementing the legislation, several issues have emerged which will affect the future direction of the Government in recruiting, hiring, and promoting minorities and women in sufficient numbers to achieve a representative Federal work force. These issues are (1) how the country's labor force is to be defined for FEORP, (2) how to apply the civilian labor force (CLF) for measuring underrepresentation, and (3) how to integrate the CLF into the affirmative action goal-setting process.

The difficulties agencies may have with the practical consequences of EEOC's and OPM's approaches to implementing section 310 of the Civil Service Reform Act of 1978 are only beginning to become apparent. But how the agencies deal with these emerging issues will determine, to a large extent, the Government's success in achieving a representative work force.

DEFINING THE LABOR FORCE

The act mandated that the Government eliminate underrepresentation of minorities and women in civil service employment. The act defines underrepresentation as a situation in which the percentage of a minority group within a category of civil service employment is less than its equivalent percentage within the labor force of the country, as determined under the most recent decennial or mid-decade census or current population survey taken under title 13 of the United States Code.

In interpreting "labor force of the United States," EEOC and OPM have adopted the definition of CLF as used in census data reporting, which includes all persons 16 years of age and over, except those in the Armed Forces, who are employed or who are unemployed and seeking employment.

OPM and EEOC officials told us that this definition is the only interpretation that meets the parameters specified in the act. Any other definition would merely accept the

factors as whether the gross underrepresentation figures might be realistically achievable and whether geographic distribution of minorities and women is accurately reflected. Consequently, OPM's and EEOC's approaches may exaggerate underrepresentation of minorities and women and may result in agencies' developing recruiting programs that will yield minimal results.

Agency requirements for
computing underrepresentation

OPM provided agencies with specific instructions for computing underrepresentation for FEORP, which were based on EEOC guidelines.

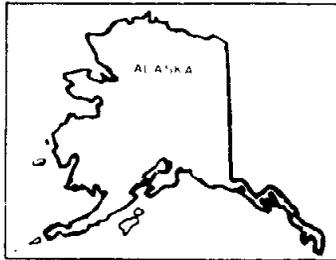
Federal Personnel Manual (FPM) Letter 720-2, dated September 19, 1979, instructs agencies to make determinations of underrepresentation by women and minority groups for each grade level within

- broad occupational categories, which are professional, administrative, technical, clerical, and other;
- mainstream occupations, which are highly populous occupations and which tend to lead to higher level positions within an agency; and
- wage-system occupations, which are blue-collar occupations within an agency.

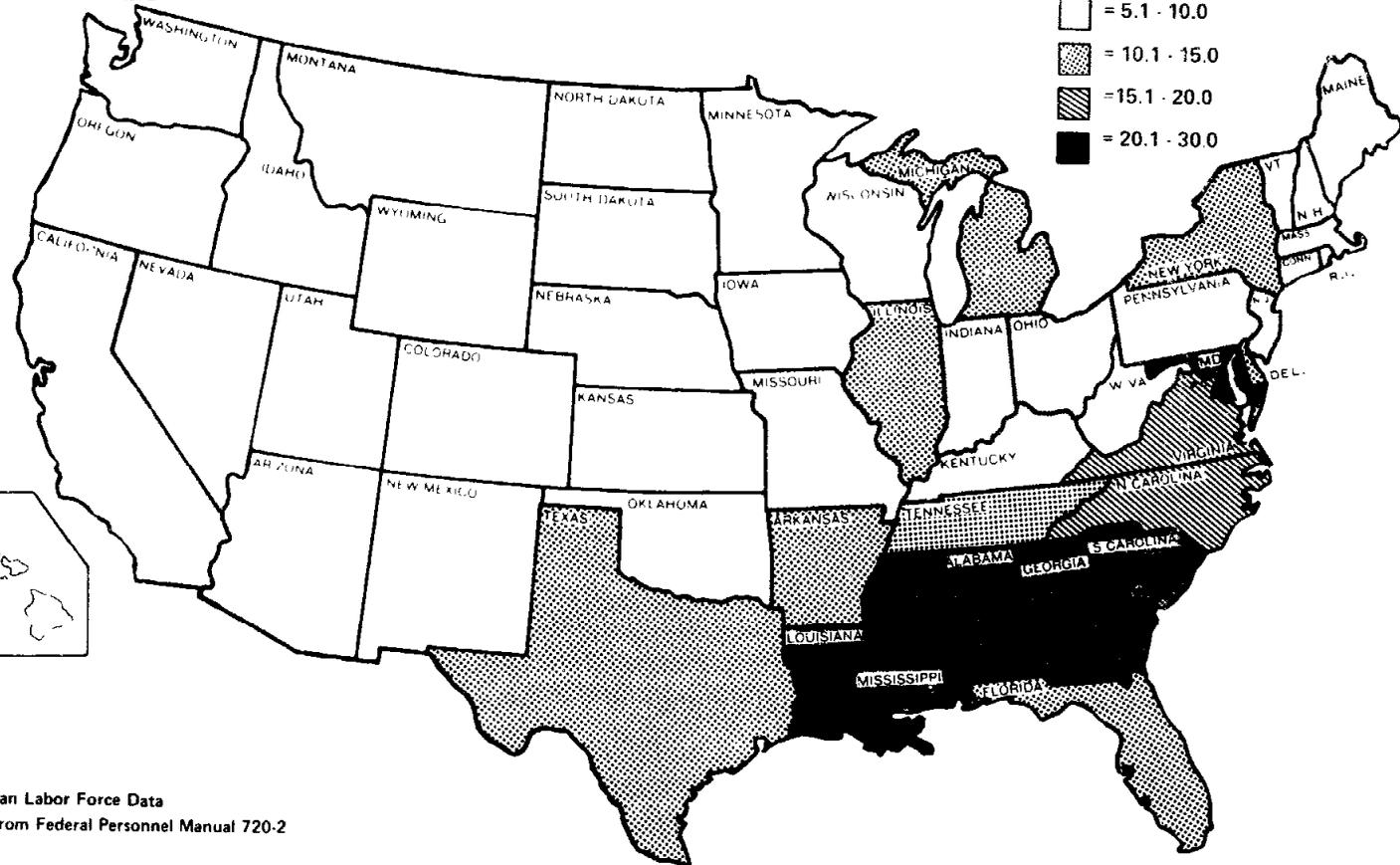
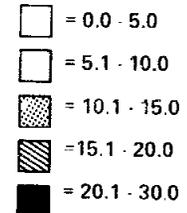
According to the instructions, agencies are generally required to use the higher of either local or national CLF statistics as the baseline for determining underrepresentation. The local CLF is the civilian labor force for the Standard Metropolitan Statistical Area (SMSA) or for the State, depending on the location of the agency component and the feasible recruiting area. Where an agency or agency component is in a local area with higher concentrations of minorities and women than are found in the national CLF, the agency must usually use the higher local figure to determine underrepresentation. If the agency or agency component is located in a local area with lower concentrations of minorities and women than are found in the national CLF, the higher national figure must be used.

Both OPM and EEOC believe the use of higher goals is justified for those areas with higher concentrations because it will result in generating greater numbers of potential candidates with requisite skills for Federal employment.

BLACK CIVILIAN LABOR FORCE
AS PERCENT OF TOTAL CIVILIAN LABOR FORCE
(BY STATES OF THE U.S.:1970)



PERCENT OF TOTAL BY STATE



SOURCE: Civilian Labor Force Data
data extracted from Federal Personnel Manual 720-2



civilian labor market. Therefore, if agencies are successful in recruiting at these levels, the Federal work force will contain greater representation of minorities and women than their representation in the CLF.

Agencies located throughout the country will have practical problems in trying to design recruiting programs based on higher CLF figures. For example, an agency located in Boise, Idaho, typically employs individuals in clerical and technical occupations which are normally recruited locally. However, it uses national CLF statistics to measure underrepresentation for each minority group, except white women, because national figures are greater in each case. To eliminate underrepresentation, the agency would have to design recruiting programs which would cover a larger geographic area. If it were to recruit only locally, the agency may have difficulties in eliminating underrepresentation.

Similar situations may occur in other geographic areas; for example, an agency unit located in Baltimore. Baltimore has a high rate of Black unemployment. Many positions are clerical or administrative, for which persons are recruited locally. In developing its recruitment plan and its affirmative action plan, the agency uses local CLF statistics for Black men and women but uses national CLF statistics for Hispanic men and women. The agency finds it is not underrepresented for Blacks but is underrepresented for Hispanics. Consequently, it will conduct an extensive recruiting program for Hispanics but will expend little effort to recruit additional Black men or women for these positions because they are not underrepresented. Although many unemployed Blacks could be qualified to fill vacancies in the agency, they will not be actively recruited.

INTEGRATING THE USE OF CLF
INTO THE AFFIRMATIVE ACTION
GOAL-SETTING PROCESS

Measuring underrepresentation is an important first step to planning an agency's recruitment program. However, recruitment does not guarantee that minorities and women will be hired. Because of this, EEOC integrated the CLF concept used in FEORP into its Affirmative Action Program and requires agencies to develop hiring goals for women and minorities on the basis of their representation in the CLF.

On December 12, 1979, EEOC issued instructions to agencies on preparing affirmative action plans for fiscal year 1980. Agencies were requested to:

Using CLF to measure underrepresentation
for Affirmative Action Programs

OPM and EEOC aggregate labor force data for measuring underrepresentation may not accurately reflect the distribution of minorities and women in specific occupations within the labor market. There is a significant disparity between the representation of minorities and women in many specific occupations and their representation in either the local CLF or the national PLF.

We obtained information on the distribution of minorities and women for 15 nonprofessional occupational groups that were used by the Department of the Air Force in developing its Affirmative Action Program.

In a significant number of the 15 nonprofessional occupational groups, the representation of minorities and women in specific occupations--as measured by the Bureau of Labor Statistics (BLS)--was less than their representation in the national CLF. For example, Black women represent 2.3 percent of engineering, physical science, and mathematical technicians but 4.8 percent of the CLF. (See app. III, p. 39.)

We also found that EEOC's aggregate data for the PLF did not accurately measure the distribution of minorities and women in professional occupations. In technical organizations, such as the National Aeronautics and Space Administration, the Geological Survey in the Department of the Interior, the Air Force Systems Command in the Department of Air Force, and the Department of Energy, many professional occupations are poor substitutes for each other. Because of this, knowledge of representation by academic specialty is crucial for evaluating compliance with equal employment policy.

We developed statistics by women and minority groups for 11 professional occupations. In a significant number of professional occupations, the distribution of minorities and women was less than their representation in the aggregate PLF.

Availability of minorities
and women is limited

Basically, agencies have two sources of supply from which to hire minorities and women. For many entry-level positions in the Government, there is the non-Government CLF. For many non-entry-level positions, there is the

Hispanic women, 2.0 percent Asian men, 0.0 percent Asian women, 1.8 percent American Indian men, and 0.0 percent American Indian women.

As its first step, the regional office computes the underrepresentation index for women and each minority group in this occupation. The following table shows the underrepresentation for women and each minority group.

<u>Minority/women</u>	<u>Column A</u> Percent represen- tation in office work force	<u>Column B</u> Percent represen- tation in PLF	<u>Column C</u> Underrepresen- tation index (column A ÷ column Bx100)
White women	1.0	30.2	3.3
Black men	1.0	3.4	29.4
Black women	.0	3.1	.0
Hispanic men	2.0	3.4	58.8
Hispanic women	.0	1.9	.0
Asian men	2.0	1.8	111.1
Asian women	.0	.3	.0
American Indian men	1.8	.1	180.0
American Indian women	.0	.1	.0

According to EEOC guidelines, an index of 50 or less indicates that the agency is severely underrepresented. The office finds it is severely underrepresented for women and all minority categories except Hispanic men, Asian men, and American Indian men.

Following EEOC's guidelines for affirmative action, the agency computed its hiring goals for 1980 by multiplying the number of vacancies it anticipated by the representation of minorities and women in the PLF (which may be different from representation in the CLF) and doubled the hiring goal for severely underrepresented targeted groups.

The limited supply of minorities and women in this occupation makes it very difficult for the regional office to meet its affirmative action goals. Moreover, the regional office would be in competition with other Federal agencies, State and local governments, and the private sector for a limited resource. Therefore, it could take many years before the agency could meet its hiring goal.

EEOC's approach also treats the internal availability of minorities and women as the potential supply from which to fill higher level positions within the agency. EEOC's assumption is that all qualified and qualifiable employees in lower positions comprise the internal supply. However, the assumption may not be entirely valid because it gives little consideration to whether these employees are equally qualified and interested in the position regardless of wages, personal preferences, and needs.

Time frames for eliminating underrepresentation

Although agencies are required to develop hiring goals, EEOC has not provided for agencies to develop specific time frames for eliminating underrepresentation of minorities and women. However, time frames are necessary to insure that progress can be measured and objectively evaluated for results.

Such time frames will depend on the availability of minorities and women in occupations and the opportunity an agency has to hire them. In certain occupations, it may take only a few years for agencies to have a representative work force, because qualified minorities and women are readily available and numerous vacancies exist. In other occupations, it may take many years for an agency to have a representative work force, because qualified minorities and women are not available and there are few vacancies.

It may be very difficult to evaluate the reasonableness of an agency's progress in eliminating underrepresentation of minorities and women unless time frames are established for measuring progress. Once an agency identifies its vacancies and availability of minorities and women, it should be able to establish appropriate time frames. Agency managers can be readily assessed on their performance toward achieving milestones and be held accountable for their actions.

occupational data and time frames as the baseline for establishing short-term and intermediate-range hiring goals.

MATTERS FOR CONSIDERATION BY
THE CONGRESS

The Congress should consider the practical difficulties agencies face in trying to achieve a representative work force based on EEOC's definition. The Congress may wish to clarify its intent on how representation should be defined and achieved.

AGENCY COMMENTS AND OUR EVALUATION

In commenting on our recommendation, EEOC recognized the existence of the practical problems outlined in the report. However, it indicated that the language of the statute compels the use of the CLF as the standard for determining underrepresentation for purposes of FEORP. It indicated also that it is working with the Department of Labor and the Census Bureau to develop more reliable estimates of occupational differentiation for use in the future.

EEOC suggested we modify our draft report's recommendation that EEOC should gather appropriate availability data for minorities and women for various Federal occupations. EEOC suggested that the recommendation should be that EEOC gather appropriate occupational data for relevant labor markets. EEOC said this would be more appropriate because

- the affirmative action objectives of FEORP and section 717 will be better served by flexibility in grouping occupational data,
- the term "availability" is a term of art that speaks to extremely technical and specific occupational comparisons that are inappropriate to both programs, and
- both EEOC and OPM agree that more detailed and current occupational data are necessary to meet program objectives.

We did not intend to use "availability" as a technical term as indicated by EEOC. Since EEOC's suggested modification will accomplish our intended objective of determining underrepresentation on a more realistic basis than is now occurring, we have agreed to the change.

CHAPTER 3

STARTUP PROBLEMS AND STATUS OF FEORP

Executive agencies are responsible primarily for establishing recruiting programs to eliminate underrepresentation of minorities and women. About 1 year after the passage of the legislation authorizing FEORP, few agencies had developed and implemented plans addressing their underrepresentation problems. Although agencies were slow in getting started, they are committed to FEORP and have made some progress.

OPM and EEOC are responsible for administering FEORP. Although OPM and EEOC have recently taken steps to clarify their roles and responsibilities, they need to do more.

STATUS OF FEORP IMPLEMENTATION IN AGENCIES

OPM required agencies to have operational recruitment plans in place by October 1, 1979. OPM's first annual report on FEORP indicated that few agencies had done so by that date.

The report also stated that, as of January 11, 1980, 61 agencies had sent reports on the status of their plans to OPM. It indicated that, although several agencies had their plans ready by January 11, 1980, about 70 percent of the 61 agencies were still developing their plans. Also, the agencies were making underrepresentation determinations, setting recruitment priorities, and identifying appropriate approaches to targeted recruitment.

At congressional hearings on June 10, 1980, OPM testified that agencies' progress in establishing FEORP plans had been slower than expected. OPM officials believed that this was due, at least in part, to the fact that the details of implementing FEORP plans were decisions the agencies had to make for themselves, and time was needed to develop solutions.

Our review of eight agencies indicated that activity in developing FEORP plans increased considerably after October 1, 1979. The following table shows increases in activity as of October 1, 1979, and January 31, 1980, at these agencies.

Agency officials told us that FEORP plans were delayed during the first year because of late program guidance, significant data collection requirements, and the uncertain relationship between FEORP and affirmative action plan development.

Late FEORP guidance

On April 13, 1979, OPM issued regulations--title 5, part 720, Code of Federal Regulations (1980)--requiring the head of each agency to specifically assign program implementation responsibility to an appropriate agency official. The regulations required agencies to develop plans for the headquarters level by July 1, 1979, and by October 1, 1979, for other agency components. These other components would be designated by EEOC under affirmative action instructions.

The regulations stated that agency FEORP plans would be incorporated into the agency affirmative action plan, pursuant to regulations and instructions of EEOC. The regulations stated further that OPM would issue guidance to agencies providing them with the data, criteria, and occupational groupings to determine underrepresentation.

OPM experienced delay in implementing the program. It planned to provide additional program guidance to agencies at the same time it issued the regulations. However, it could not provide guidance as planned because of delays in obtaining accurate CLF data. Therefore, OPM considered it unrealistic for most agency headquarters to meet expected dates. Subsequently, on June 8, 1979, OPM extended the date for developing headquarters plans from July 1 to October 1, 1979. However, agency components were still required to develop their plans by October 1, 1979. The October 1 date was chosen, OPM said, because of concern that the program should be implemented within 1 year after passage of the act.

Draft guidance--FPM Letter 720-1 dated July 17, 1979--was provided 3 months after the April regulations were issued. Agencies were instructed to begin immediately to apply this guidance to develop and implement their FEORP plans by October 1, 1979. However, most agencies did little with the guidance. Several agencies were waiting for EEOC guidelines on affirmative action which designated agency components required to develop FEORP plans.

OPM issued formal guidance--FPM Letter 720-2, September 19, 1979--which instructed agencies to incorporate any changes from FPM Letter 720-1 into their FEORP plans.

For fiscal year 1980, the Army used individual occupations in its career program to determine underrepresentation for FEORP. It is also developing a data base to provide information by professional, administrative, technical, clerical, and other.

OPM recognized that agencies were being overwhelmed with many competing data collection requirements. On February 9, 1980, the Deputy Director, OPM, was told by his staff that agencies were having problems in gathering the necessary data and that agencies may be placing excessive concern on the data analysis, rather than on developing recruitment plans.

OPM could eliminate some of the data requirements by using its Central Personnel Data File. This file provides information on minorities and women by broad occupational categories, individual occupations, or any other desired grouping. This information can be reported on a Government-wide basis, on an agencywide basis, and for the top two organization levels within an agency--for example, a headquarters and major operating components. OPM is planning to expand the file below the second level beginning in 1982.

Relationship between FEORP and affirmative action plan development

EEOC requires that FEORP plans be included as part of an agency affirmative action plan. During the early stages of FEORP development, several agencies were concerned about possible conflicts between OPM's approaches to FEORP and EEOC's approaches to affirmative action.

These concerns caused at least three agencies to delay FEORP's development and implementation.

--On December 18, 1979, the Assistant Secretary for Personnel Administration at the Department of Health, Education, and Welfare ^{1/} told OPM that FEORP planning guidance for components was held up until EEOC affirmative action instructions were issued to insure

^{1/}On May 4, 1980, the Department of Health, Education, and Welfare responsibilities were split between the Department of Education and the Department of Health and Human Services.

Preliminary evaluation criteria were published in FPM Letter 720-2, dated September 19, 1979. Nevertheless, OPM officials responsible for personnel management evaluations believe that it is highly unlikely FEORP's effectiveness can be evaluated against these criteria during the first year and that it may take several years before FEORP can be effectively evaluated.

OPM has been monitoring FEORP's status through its ongoing review of the implementation of the Civil Service Reform Act. On April 5, 1979, it developed a survey instrument to be used in evaluating the act's implementation. Several data elements pertained to developing and implementing FEORP in agency installations.

On June 15, 1979, OPM reported on its first comprehensive summary of the act's implementation. This summary was based on information received from 49 installations. Over one-third of these were in the Department of the Army. According to OPM, FEORP was receiving a "relatively high degree of positive activity" at Army installations, and at least four installations had received information or instructions on FEORP. OPM also reported that several installations had workable FEORP plans and were implementing them. However, the Army did not issue guidance until September 28, 1979, and, therefore, these installations could not have developed and implemented FEORP plans in conformance with Army instructions.

The second activity included developing and preparing OPM's annual report to the Congress. According to OPM's plan, the report would address FEORP's effectiveness. OPM's first annual report was a status report rather than a report on the program's effectiveness, because few plans had been developed and implemented in time to meet the reporting deadline.

The third activity required OPM to develop a sampling plan for reviewing agency FEORP plans. Since OPM did not routinely request the plans, it intended to draft agency selection criteria and to prepare a final survey plan by mid-October 1979. As of June 16, 1980, OPM could not provide us with either these criteria or the final survey plan.

EEOC evaluation milestones

EEOC's internal plan for reviewing and approving FEORP plans required its Office of Government Employment to review

(3) computing and indexing underrepresentation. These issues apparently emerged from Federal agency reaction to EEOC's proposed instructions for fiscal year 1980 affirmative action plans.

OPM officials believed that additional efforts to resolve these issues would inevitably delay issuing final guidance and would, in their estimation, necessitate further slippage of the date for requiring FEORP plans. FPM Letter 720-2 was issued without change.

OPM officials believed that this delay occurred because OPM and EEOC had not specifically defined their responsibilities for FEORP. OPM and EEOC have since stated their respective responsibilities for FEORP and the Affirmation Action Program and have drafted a memorandum of understanding regarding interrelationships between Federal personnel management and equal employment opportunity programs. However, in our opinion, these steps are inadequate because they do not clearly delineate (1) how, when, or who reviews guidance and (2) what actions, review consultation, and approval must be taken to resolve conflicts that may occur in issuing or modifying guidance.

Approaches to defining occupational categories

OPM's and EEOC's approaches to defining the occupational categories for measuring underrepresentation have been inconsistent. OPM guidelines for FEORP instruct agencies to use mainstream occupations and broad occupational groupings-- professional, administrative, technical, clerical, and other.

EEOC affirmative action instructions require agencies to determine underrepresentation for their six most populous occupations. These determinations are used to set affirmative action recruitment strategies and to establish hiring goals.

In the eight agencies we observed, a variety of methods were being used to measure underrepresentation. The following table shows how each of the eight agencies categorized its work force. As a result, there will be a lack of consistency in defining occupational categories.

a particular occupation in grades 1 through 4. This occupation is a mainstream occupation for that office, and Black women account for 3.5 percent of the work force. Data shows a 2.9 percent representation of Black women in the local CLF and a 4.8 percent representation of Black women in the national CLF. This grade level falls under OPM's blanket authorization. Therefore, for FEORP the agency would compare its percentage of Black women in this occupation with the percentage of Black women in the local CLF. The agency finds that it is not underrepresented because the percentage of Black women in its work force is greater than the percentage of Black women in the local CLF.

On the other hand, the agency must compare Black women in its work force with national CLF data for affirmative action planning. The agency finds it is underrepresented in Black women because their percentage in the work force is less than their percentage in the national CLF. As a result, the agency would have to develop a recruiting program for its affirmative action plan.

We believe that OPM and EEOC should decide on one approach to granting blanket exceptions for grade 4 positions and below that will insure consistent program development for both FEORP and affirmative action programs.

Determining underrepresentation in professional occupations

Another inconsistency could occur in determining underrepresentation in professional occupations because of different data used for FEORP and the Affirmative Action Program. For FEORP, OPM regulations require agencies to compare their professional work force against the higher of the national or local CLF data in making determinations of underrepresentation for professional occupations. On the other hand, EEOC requires agencies to compare their professional work force with the higher of the national or local PLF data for affirmative action.

The following table shows the data to be used in making these determinations in selected areas.

Consider, for example, a situation where an agency component located in Atlanta is calculating underrepresentation for a mainstream professional occupation. Black men account for 7 percent of the component's work force in this occupation. For FEORP, Black men would be underrepresented, because their representation in the national CLF is higher than their representation in the occupation (10.6 percent versus 7 percent). However, for affirmative action, Black men would be overrepresented, because their representation in the work force (7 percent) is higher than their representation in the PLF (6 percent). The component would be required to develop a recruiting strategy for FEORP but not for affirmative action.

OPM and EEOC need to determine how underrepresentation for professional occupations should be measured. A consistent approach to defining underrepresentation for professional occupations will eliminate potential conflicts in program evaluation between FEORP and affirmative action.

Potential issues in evaluating FEORP plans

OPM and EEOC are responsible for evaluating FEORP plans. To avoid duplication and inconsistency, OPM and EEOC should coordinate their common evaluation responsibilities. Although they had taken some action to do this, at the time of our review, they had not fully coordinated their evaluation responsibilities. The lack of specific evaluation responsibilities for FEORP, together with inconsistent development of agency FEORP plans, may lead to inconsistent and duplicate evaluations by OPM and EEOC.

Other potential issues which OPM and EEOC must address to avoid duplication and inconsistency in evaluating FEORP follow.

- Should quantitative or qualitative data be used to measure agency recruiting efforts? There is some concern that EEOC relies too much on quantitative data in assessing agency recruiting efforts. Officials at several agencies believe it is necessary to look at qualitative information, such as agency relationships with minority institutions, quality of recruiting material, and quality of recruiters.
- How do OPM and EEOC regional staff coordinate with each other in evaluating agency efforts to achieve full representation of minorities and women in the work force? Officials at both agencies were unsure

result in FEORP plans being an attachment rather than a consistent and effective element of affirmative action plans.

To prevent executive agencies from being overwhelmed by FEORP data requirements, OPM and EEOC should help them by determining what data is already available. In particular, OPM and EEOC should determine what data is in OPM's Central Personnel Data File and how it can be used in agency FEORP and affirmative action plans.

RECOMMENDATIONS

We recommend that the Director, OPM, and the Chair, EEOC,

- clarify their respective responsibilities for managing FEORP, which would include determining (1) the authority for respective responsibilities and (2) the actions each agency must take when issuing and modifying regulations and guidelines;
- clarify (1) common evaluation responsibilities and (2) how they will be coordinated to eliminate duplication and inconsistency;
- identify and eliminate inconsistencies between the recruitment program and the Affirmative Action Program so that FEORP becomes an effective element of affirmative action plans; and
- examine the data requirements for recruitment plans and determine what data can be used from OPM's Central Personnel Data File to minimize agencies' data burden and allow agencies more time to develop and implement the plans.

AGENCY COMMENTS AND OUR EVALUATION

EEOC agreed with our recommendations and pointed out program areas in which EEOC and OPM have achieved consistency. EEOC indicated that it would enter into a Memorandum of Understanding with OPM that will further clarify respective roles. In addition, OPM staff has been included as part of EEOC's current effort to develop affirmative action instructions for multiyear affirmative action planning. EEOC intends to identify the remaining areas of inconsistency and where they reflect different policies to clearly explain those differences.

COMPARISON OF CLF STATISTICS IN 11 FEDERAL REGIONAL CITIES

	White women	Black men	Black women	Hispanic men	Hispanic women	Asian men	Asian women	American Indian men	American Indian women	Total
(percent)										
Atlanta:										
Local CLF	30.0	10.6	9.6	0.5	0.3	0.1	0.0	0.0	0.0	51.1
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	10.6	9.6	2.9	1.9	.8	.6	.2	.2	61.1
Boston:										
Local CLF	38.5	2.0	1.7	.7	.4	.4	.3	.0	.0	44.0
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	38.5	5.3	4.8	2.9	1.9	.8	.6	.2	.2	55.2
Chicago:										
Local CLF	30.5	8.3	6.4	2.7	1.4	.4	.3	.1	.0	50.1
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	8.3	6.4	2.9	1.9	.8	.6	.2	.2	55.6
Dallas:										
Local CLF	31.1	6.6	6.0	3.4	1.8	.1	.1	.2	.1	49.4
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	6.6	6.0	3.4	1.9	.8	.6	.2	.2	54.0
Denver:										
Local CLF	33.9	1.9	1.7	5.9	3.3	.4	.3	.1	.1	47.6
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	5.3	4.8	5.9	3.3	.8	.6	.2	.2	55.4
New York:										
Local CLF	28.9	8.1	7.1	6.0	3.4	.6	.5	.0	.0	54.8
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	8.1	7.1	6.0	3.4	.8	.6	.2	.2	60.7
Philadelphia:										
Local CLF	30.1	8.8	7.4	.7	.4	.2	.2	.0	.0	47.8
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	8.8	7.4	2.9	1.9	.8	.6	.2	.2	57.1
St. Louis:										
Local CLF	31.6	7.2	6.4	.5	.3	.1	.1	.0	.0	46.2
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	7.2	6.4	2.9	1.9	.8	.6	.2	.2	54.5
San Francisco:										
Local CLF	28.8	5.1	4.1	6.7	4.0	3.1	2.4	.2	.1	54.5
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	5.3	4.8	6.7	4.0	3.1	2.4	.2	.2	61.0
Seattle:										
Local CLF	34.4	1.6	1.2	1.0	.5	1.5	1.0	.3	.2	41.7
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.1	50.9
Higher of two	34.4	5.3	4.8	2.9	1.9	1.5	1.0	.3	.2	52.3
Washington, D.C.:										
Local CLF	29.4	13.0	11.8	1.3	1.1	.5	.4	.1	.0	57.6
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	13.0	11.8	2.9	1.9	.8	.6	.2	.2	65.7

Source: Office of Personnel Management, FPM Letter 720-2, Sept. 19, 1979, apps. E and C.

AVAILABILITY OF MINORITIES AND WOMEN IN SELECTED NONPROFESSIONAL OCCUPATIONS

Description of occupations	White women		Black men		Black women		Hispanic men		Hispanic women		Asian men		Asian women		American Indian men		American Indian women	
	BLS	CLF	BLS	CLF	BLS	CLF	BLS	CLF	BLS	CLF	BLS	CLF	BLS	CLF	BLS	CLF	BLS	CLF
	(percent)																	
Engineering, physical science, and mathematical technicians	13.10	34.30	5.60	5.30	2.30	4.80	2.70	2.90	0.88	1.90	0.68	0.80	0.28	0.60	0.23	0.20	0.07	0.20
Those who support the morale, welfare, and recreation functions	32.00	34.30	2.59	5.30	1.58	4.80	1.36	2.90	.57	1.90	.30	.80	.20	.60	.11	.20	.01	.20
Those working in functional environ- ment of visual and verbal arts	37.70	34.30	6.35	5.30	8.50	4.80	3.35	2.90	3.31	1.90	.82	.80	1.10	.60	.27	.20	.16	.20
Those who manage specific tangible facilities or materiel resources	28.04	34.30	3.34	5.30	1.25	4.80	1.77	2.90	.48	1.90	.46	.80	.32	.60	.14	.20	.01	.20
Position concerned with specialized management and administration	33.72	34.30	2.61	5.30	1.78	4.80	1.37	2.90	.66	1.90	.33	.80	.21	.60	.11	.20	.03	.20
Positions that support the manage- ment structure	15.45	34.30	2.80	5.30	.70	4.80	1.50	2.90	.26	1.90	.40	.80	.09	.60	.13	.20	.02	.20
Computer technician positions	25.80	34.30	4.63	5.30	3.65	4.80	2.45	2.90	.99	1.90	.60	.80	.35	.60	.21	.20	.07	.20
Business and industrial related functions	19.30	34.30	4.17	5.30	3.74	4.80	2.20	2.90	1.37	1.90	.54	.80	.46	.60	.17	.20	.10	.20
Positions related to the functional knowledge and skills of procure- ment	45.01	34.30	2.26	5.30	3.97	4.80	1.25	2.90	1.41	1.90	.27	.80	.43	.60	.10	.20	.05	.20
Equipment specialists and materiel and materiel management positions	10.44	34.30	4.76	5.30	.29	4.80	2.52	2.90	.11	1.90	.62	.80	.03	.60	.22	.20	.00	.20
Business technicians involved with packaging	7.14	34.30	6.07	5.30	.00	4.80	3.20	2.90	.00	1.90	.78	.80	.00	.60	.28	.20	.00	.20
Supply and transportation positions	12.59	34.30	3.93	5.30	.49	4.80	2.08	2.90	.18	1.90	.50	.80	.06	.60	.18	.20	.01	.20
Positions involving transportation technicians	29.80	34.30	2.97	5.30	3.20	4.80	1.58	2.90	1.15	1.90	.36	.80	.40	.60	.16	.20	.07	.20
General clerical positions	31.45	34.30	4.95	5.30	3.23	4.80	2.59	2.90	1.21	1.90	.81	.80	.41	.60	.21	.20	.05	.20
Biological and medical technicians	60.57	34.30	3.57	5.30	12.86	4.80	1.89	2.90	4.76	1.90	.45	.80	1.50	.60	.17	.20	.29	.20
Number of nonprofessional occupa- tional groups where distribution of minorities and women is less than their distribution in the national CLF	12		12		13		13		13		13		13		9		14	

Source: CLF—Office of Personnel Management, FPM Letter 720-2, Sept. 19, 1979, app. B.

BLS—Department of the Air Force, Report Number One of the Equal Employment Opportunity Task Group on Equal Employment Opportunity Goal Setting Methodology, Apr. 1979.

United States of America
**Office of
Personnel Management**
Washington, D.C. 20415

In Reply Refer To

Your Reference

Mr. H. L. Krieger
Director
Federal Personnel and Compensation
Division
General Accounting Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Krieger:

This responds to your request for OPM comments on the draft of GAO's proposed report on "Achieving Representation of Minorities and Women in the Federal Work Force: Emerging Issues and Management Problems."

In general, we feel the report presents an accurate and balanced assessment of OPM's efforts to implement the Federal Equal Opportunity Recruitment Program and to try to ensure consistency between it and the affirmative action program requirements administered by EEOC. Based on our reading of the draft, however, we feel that there is a major philosophic or conceptual difference between OPM and GAO with respect to FEORP and affirmative action program interrelationships. You seem to imply throughout the report that the requirements for these programs should be identical in every respect. We believe our efforts should focus on ensuring maximum consistency and in avoiding undue workload demands on agencies and are continuing to work with EEOC and other agencies toward that end.

We also have some general concerns about Chapter 3 of the report. We feel to a large extent that it includes a number of assertions which are not fully documented. For example, it attributes "interpretation" of the law to OPM and EEOC without any indication of how the law might otherwise be read. It also includes "availability" statistics without indication of how those data were developed. In addition, its focus on the new graduate and the unemployed ignores the burning issue for minorities and women of the discouraged worker. We believe that, while it may be appropriate for Congress to make its intent known, that intent should be stated on an informed basis. The "problems" described concerning FEORP should not automatically be attributed to OPM and EEOC.

We are enclosing some additional specific comments regarding the draft which we feel will help to clarify it and improve its accuracy.



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D. C. 20506

OFFICE OF THE CHAIR

August 21, 1980

Gregory J. Ahart, Director
General Accounting Office
441 G Street, N. W.
Washington, D. C. 20548

Dear Mr. Ahart:

In response to your recent letter, I am attaching EEOC's written comments on the General Accounting Office draft report: "Achieving Representation of Minorities and Women in the Federal Work Force: Emerging Issues and Management Problems".

If there are any questions on this, they should be directed to Mr. Preston David, Executive Director, 2401 E Street, N. W., Washington, D. C. 20506.

Sincerely,

Eleanor Holmes Norton PD

Eleanor Holmes Norton
Chair

Attachments

broader rather than more narrow categories of professional specialities as a basis for setting goals.

B. Integration of the Labor Force concept into Affirmative Action goal setting.

1. Differentiation of CLF

While we felt compelled by the statute to adopt the CLF concept for FEORP, we recognized that affirmative action hiring and promotion goals must, of necessity, take into account immediately relevant skills. We recognized that the "qualified or qualifiable" component of the Labor Force is the immediately relevant element for setting short-term affirmative action goals. Thus our Management Directive MD 702 of December 12, 1979 required that, for purposes of setting affirmative action hiring goals, that the CLF be differentiated into Professional and non-Professional categories. Additional underrepresentation determinations were to be made using the percentage of each group in the professional category of the National, or SMSA, CLF. This, it seemed to us, anticipated and partially alleviated the problems identified by the report with respect to goal setting in terms of relevant skills.

Unfortunately, reliable Labor Force data for occupational differentiation of the CLF was not (and is not) readily available. 1970 Census data is substantially out of date. The Current Population Survey Series is based on too small a sample for our purposes and does not contain comprehensive data for either all groups or geographical areas. However, applying sophisticated statistics and "rate of change" extrapolations, we were able to develop rough estimates of current participation percentages for minorities and women in professional occupations. These estimates are not satisfactory for the long term but were, we believed practical for the limited scope of Affirmative Action Planning for the transition year of 1980. It should be noted that EEOC specifically rejected narrow occupation-by-occupation availability and would not concur with the GAO recommendation to use such narrow measures for setting affirmative action goals. Accordingly, we suggest that your recommendation on page 20 be modified to state that EEOC and DOL should work together in order to gather appropriate occupational data for relevant labor markets, not "availability" data. This is a more appropriate concept because:

- the affirmative action objectives of FEORP and Section 717 will be better served by flexibility in grouping occupational data;
- the term "availability" is a term of art that speaks to extremely technical and specific occupational comparisons that are inappropriate to both programs; and
- both EEOC and OPM agree that more detailed and current occupational data are necessary to meet program objectives.

- The requirement that agencies submit FEORP plans directly to EEOC facilitate analysis and evaluation of the total agency affirmative action effort; and,
- Compatible requirements for the use of innovative staffing techniques and special authorities to enhance both recruitment and affirmative hiring.

Moreover, EEOC and OPM will enter into a Memorandum of Understanding that will further clarify respective roles, and help to coordinate on-site review and evaluation FEORP, so that agencies will not be subjected to dual, and perhaps inconsistent, reviews.

EEOC currently is developing affirmative action instructions for multi-year planning. OPM staff is included in this effort. We intend the new instructions to eliminate any confusion that may now exist with respect to the roles and requirements of OPM and EEOC. We will specifically identify remaining areas of inconsistency and, where they reflect different policies, such differences will be clearly explained. For example, the need for a separate determination of underrepresentation for professional occupations was explained this year, and justified because Section 717 results in hiring to meet affirmative action goals, while FEORP does not. This difference will be furthered amplified and clarified in the multi-year instructions. In addition, the task force that is writing multi-year instructions will explore ways to use OPM's Central Personnel Data File (CPDF) in order to provide more current data for use by Federal agencies in developing FEORP and 717 plans, as well as to reduce burdensome and duplicative statistical data gathering for these purposes. We will work with CPDF to develop computer programs that will meet both plans' requirements and that will be suitable for evaluation models described below.

During the transition year, EEOC placed primary emphasis on technical assistance in agency development of affirmative action planning. Development of evaluation models was delayed until the Commission could review the experience of agencies with approach adopted by EEOC. The evaluation model we are initially adopting will be limited to FY 80 AAP's and agency experience under those years. We will continue to emphasize technical assistance, particularly as we impose more complex procedures required in multi-year planning. More sophisticated evaluation models will be developed for these multi-year plans which are to be submitted in April 1981.

As we develop and apply these models we will work closely with OPM to assure minimum duplication and inconsistency.

CONCLUSION

EEOC would have required a vigorous affirmative recruiting strategy as a component of agency affirmative action plans developed pursuant to Section 717. EEOC has the statutory authority to impose such requirements. Reorganization Plan No. 1 transferred Section 717 authority from the Civil Service Commission to

EEOC. However, Section 310 bifurcated affirmative action authority by giving authority over the important FEORP program to OPM. It is incumbent upon both agencies to work in a coordinated fashion; despite our differing statutory authorities, we see the programs as unitary and interrelated. We will continue in concert to strengthen both programs. In this first year, we have learned many important lessons that will result in a vastly improved program next year. We are confident that agencies are supportive of the goals of FEORP and Section 717; the more specific and detailed requirements imposed by OPM and EEOC should result in appreciable and measurable progress in the very near future.

GAO note: The attachment is not included.

(964149)

2. Use of Higher of National or SMSA CLF

A second criticism raised by the report was the use of the higher of either the National or SMSA CLF as a basis for determining underrepresentation. Both OPM and EEOC adopted this rule. The OPM directive gave blanket authority to use the local level percentages for determining underrepresentation for lowgraded employees. EEOC was not explicit in its directive, but it was assumed that only in exceptional circumstances would the local percentage not be appropriate for grades 4 and below, since most of those grades are in clerical, technical or wage board categories.

Both EEOC and OPM believe the use of higher goals is justified for those areas with higher concentrations of minorities because these higher concentrations ensure greater numbers of potential candidates with requisite skills for Federal employment. Moreover, the use of national figures where there are lower concentrations of minorities is justified because both agencies consider the Federal government to be a national employer. The Federal Civil Service Personnel System is common to Federal employers throughout the United States. Jobs are described, classified and filled by a common set of standards and processes. Personnel qualified for a particular position anywhere in the Federal sector are technically, by centralized policy definition, qualified for the same type of position everywhere. Thus, particularly for higher graded and professional job categories, agency field components should recruit and hire at rates at least as great as the national CLF.

Given that minorities and women are generally underrepresented at higher grade levels, this policy is both practical and theoretically sound.

We found the examples of potential anomalies strained. The outcomes hypothesized in the report, while arguably possible in the long term, are highly improbable in any reasonably short term future. We still believe the policies adopted, and in the short term, can be administered so as not to produce the gross anomalies suggested by the report.

3. Coordination of FEORP and AAP

We agree with the recommendations that there be some improvements in definition and clarification of OPM and EEOC's respective responsibilities. Differences in timing and scope of OPM and EEOC directives have produced problems for some agencies; yet the distinctions between the two programs flow largely from the fact that FEORP is not a selection or hiring program. Notwithstanding, this major conceptual difference, OPM and EEOC achieved consistency in numerous program areas. These include:

- Use of the same methodology for determining underrepresentation in both programs;
- Incorporation of the basic requirements of the Uniform Guidelines on Employee Selection Procedures in both programs;
- Compatible criteria for evaluating agency FEORP plans to be used by OPM and EEOC;

INTRODUCTION

The report identified three major areas of concern:

- A. Definition of The Labor Force of the United States and its application to The Federal Equal Opportunity Recruitment Program (FEORP);
- B. Integration of The Labor Force concept into Affirmative Action goal setting; and,
- C. Coordination between EEOC and OPM.

Each of these issues will be dealt with separately below.

A. Definition and Application of the CLF concept for purposes of FEORP.

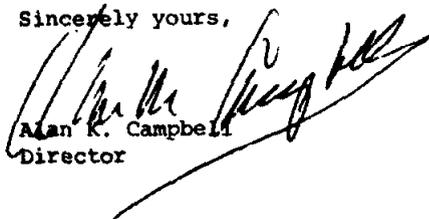
The major objections to the definition of CLF adopted by EEOC and OPM is that it does not consider the "legitimate differences in knowledge, skills and abilities among groups of people in the CLF; relied on Census data which was outdated and unreliable; and included individuals under 18 years of age. . .". The report assumes that the definition adopted was developed by EEOC and OPM. Such was not the case. Notwithstanding the language in Section 310 that refers to "the labor force of the United States", EEOC and OPM were following Directive 11 of the Office of Federal Statistical Policy and Standards' "Statistical Policy Directives" (43 F.R. 19267, May 4, 1978. . . see attached). This directive requires Federal agencies to "use the most current National, State, or local area labor force or unemployment data published by the Bureau of Labor Statistics. . . with respect to all program purposes. . .". The term "labor force and unemployment data" are defined in the Directive "to include all counts or estimates of the total labor force, the civilian labor force, total employment, total civilian employment, total unemployment and total unemployment rates. . .". The Directive is designed to achieve consistency in Federal statistical policy, a mandate that closely parallels EEOC's own mandate under E.O. 12067.

[See GAO note,
p. 48.]

All the concerns mentioned above were fully considered by EEOC when, in full consultation with OPM and other agencies, it adopted the "Guidelines for Development of a Federal Recruitment Program to implement 5 US Section 7201(c) dated December 9, 1978. However, we believed that the plain language of the statute and Directive 11 compelled us to use the Civilian Labor Force as the standard for determining underrepresentation for purposes of FEORP. We have been working with the Department of Labor and the Census Bureau to develop more reliable estimates of occupational differentiation for use in the future. However, it now appears that it will be 1982 before truly reliable data will be available. In the meantime, we are reexamining our policies and will utilize the best estimates possible to guide affirmative action planning. In developing new guidelines we will continue to emphasize the

We hope you will give these comments and suggestions your serious consideration before the report is finalized.

Sincerely yours,



Alan K. Campbell
Director

Enclosure [See GAO note.]

GAO note: This enclosure is not included. The specific comments have been included as appropriate in the report.

AVAILABILITY OF MINORITIES AND WOMEN IN SELECTED PROFESSIONAL OCCUPATIONS

Description of occupations	White women		Black men		Black women		Hispanic men		Hispanic women		Asian men		Asian women		American Indian men		American Indian women		
	BLS	PLF	BLS	PLF	BLS	PLF	BLS	PLF	BLS	PLF	BLS	PLF	BLS	PLF	BLS	PLF	BLS	PLF	
	(percent)																		
Medical professional, including veterinarian	9.55	30.40	5.56	3.40	2.17	3.10	2.46	1.60	0.90	0.90	0.73	1.80	0.27	0.30	0.25	0.10	0.06	0.10	
Professionals who support medical professionals	77.71	30.40	.99	3.40	9.43	3.10	.47	1.60	3.46	.90	.11	1.80	1.15	.30	.04	.10	.21	.10	
Engineers, physical scientists, all speciality mathematicians, and related occupations	1.84	30.40	4.42	3.40	.22	3.10	2.30	1.60	.07	.90	.58	1.80	.01	.30	.18	.10	.00	.10	
Physical scientists, including pharmacology and horticulture	8.91	30.40	5.71	3.40	.76	3.10	3.04	1.60	.28	.90	.58	1.80	.10	.30	.27	.10	.02	.10	
All professional mathematical occupations	19.23	30.40	1.42	3.40	.62	3.10	.87	1.60	.23	.90	.09	1.80	.09	.30	.07	.10	.00	.10	
Accountants	25.39	30.40	3.40	3.40	3.10	3.10	1.79	1.60	1.15	.90	.44	1.80	.39	.30	.16	.10	.07	.10	
Attorney, patent advisor, and patent attorney	9.52	30.40	2.03	3.40	.94	3.10	1.02	1.60	.26	.90	.22	1.80	.11	.30	.10	.10	.00	.10	
Social scientists and related fields	40.94	30.40	2.13	3.40	2.65	3.10	1.12	1.60	.97	.90	.26	1.80	.32	.30	.11	.10	.06	.10	
Biological scientists	21.47	30.40	4.92	3.40	2.55	3.10	2.58	1.60	.90	.90	.59	1.80	.26	.30	.22	.10	.05	.10	
Librarians	78.10	30.40	1.40	3.40	4.20	3.10	.70	1.60	1.50	.90	.02	1.80	.50	.30	.10	.10	.10	.10	
Education Professionals	46.16	30.40	3.62	3.40	5.97	3.10	1.77	1.60	2.20	.90	.43	1.80	.74	.30	.15	.10	.13	.10	
Number of professional occupational groups where distribution of minorities and women is less than their distribution in the national PLF			7		5		7		5		4		11		6		2		8

Source: ELS--Department of the Air Force, Report Number One of the Equal Employment Opportunity Task Group on Equal Employment Opportunity Goal Setting Methodology, Apr. 1979.

PLF--GAO's calculation using methodology specified by EEOC in Management Directive 702, Instructions for Affirmative Action Program Plans for Minorities and Women for Fiscal Year 1980, Dec. 11, 1979.

COMPARISON OF CLF STATISTICS IN 10 CITIES

	<u>White</u> <u>women</u>	<u>Black</u> <u>men</u>	<u>Black</u> <u>women</u>	<u>Hispanic</u> <u>men</u>	<u>Hispanic</u> <u>women</u>	<u>Asian</u> <u>men</u>	<u>Asian</u> <u>women</u>	<u>American</u> <u>Indian</u> <u>men</u>	<u>American</u> <u>Indian</u> <u>women</u>	<u>Total</u>
	----- (percent) -----									
Anchorage, Alaska:										
Local CLF	36.9	1.4	1.7	0.9	1.1	0.4	0.4	1.6	1.5	45.9
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	36.9	5.3	4.8	2.9	1.9	.8	.6	1.6	1.5	56.3
Baltimore:										
Local CLF	28.3	11.8	10.0	.5	.3	.2	.1	.1	.0	51.3
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	11.8	10.0	2.9	1.9	.8	.6	.2	.2	62.7
Billings, Mont.:										
Local CLF	36.7	.1	.0	1.1	.6	.1	.1	.5	.2	39.4
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	36.7	5.3	4.8	2.9	1.9	.8	.6	.5	.2	53.7
Boise:										
Local CLF	36.9	.1	.1	1.0	.7	.2	.2	.1	.0	39.3
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	36.9	5.3	4.8	2.9	1.9	.8	.6	.2	.2	53.6
Corpus Christi, Tex.:										
Local CLF	21.5	2.2	2.1	25.6	11.7	.1	.0	.0	.0	63.2
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	5.3	4.8	25.6	11.7	.8	.6	.2	.2	83.5
Houston, Tex.:										
Local CLF	25.3	10.0	7.9	6.2	2.8	.2	.1	.1	.0	52.6
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	10.0	7.9	6.2	2.8	.8	.6	.2	.2	63.0
Omaha, Neb.:										
Local CLF	36.2	3.0	2.8	.8	.5	.1	.2	.1	.1	43.8
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	36.2	5.3	4.8	2.9	1.9	.8	.6	.2	.2	52.9
Miami:										
Local CLF	24.1	7.1	6.5	15.0	10.7	.1	.1	.0	.0	63.6
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	7.1	6.5	15.0	10.7	.8	.6	.2	.2	75.4
Fayetteville, N.C.:										
Local CLF	33.4	12.0	11.6	.5	.5	.1	.4	.6	.5	59.6
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	34.3	12.0	11.6	2.9	1.9	.8	.6	.6	.5	65.2
Oklahoma City:										
Local CLF	35.1	3.4	3.3	.9	.5	.1	.1	1.1	.7	45.2
National CLF	34.3	5.3	4.8	2.9	1.9	.8	.6	.2	.2	51.0
Higher of two	35.1	5.3	4.8	2.9	1.9	.8	.6	1.1	.7	53.2

Source: Office of Personnel Management, FPM Letter 720-2, Sept. 19, 1979, apps. B and C.

Although not specifically commenting on these recommendations, OPM stated in its response that it believes its efforts should focus on insuring maximum consistency and avoiding undue workload demands on agencies. OPM indicated it is working with agencies and EEOC toward that end.

about how field evaluations for FEORP and affirmative action could be effectively integrated into a systematic evaluation strategy that eliminates the possibility of duplication and inconsistent results.

--Does OPM or EEOC have authority for enforcing FEORP? There is concern that neither agency has the necessary authority to enforce FEORP regulations and guidelines.

CONCLUSIONS

The development and implementation of FEORP got off to a slow start in the eight agencies we reviewed because of late program guidance, significant data collection requirements, and the uncertain relationship between FEORP and affirmative action. Further, OPM and EEOC did not fully discharge their evaluation responsibilities on a timely basis.

Although FEORP is now being implemented, we believe that OPM and EEOC should take actions to avoid potential problems with FEORP. One action is to clarify their roles and their responsibilities for issuing guidelines. The lack of clearly delineated responsibilities for reviewing and approving guidelines was a contributing factor to the delay of FEORP guidance at the outset. Future delays in issuing guidance could be prevented, in part, if OPM and EEOC specifically state their FEORP responsibilities and how they will be accomplished. This information should then be communicated to executive agencies.

OPM is required to insure that agencies implement FEORP. EEOC reviews FEORP plans as part of its review of affirmative action plans. Although OPM and EEOC officials have taken some action to coordinate their common evaluation responsibilities to avoid duplication and inconsistency, they are not totally adequate. OPM and EEOC evaluation responsibilities could be administered more efficiently if they develop joint evaluation criteria and schedules and decide on a common set of instructions for use in evaluating FEORP. After the criteria are developed, they should be communicated to executive agencies.

In its guidelines for developing FEORP, EEOC required that FEORP plans be incorporated as a consistent and effective element of affirmative action plans. However, there are inconsistencies between the two programs which could

Comparison of CLF Representation
Data for FEORP Versus PLF Representation
Data for Affirmative Action Plans

<u>Area</u>	<u>Black men</u>		<u>Black women</u>		<u>Hispanic men</u>		<u>Hispanic women</u>	
	<u>Affirmative</u>		<u>Affirmative</u>		<u>Affirmative</u>		<u>Affirmative</u>	
	<u>FEORP</u>	<u>action plans</u>	<u>FEORP</u>	<u>action plans</u>	<u>FEORP</u>	<u>action plans</u>	<u>FEORP</u>	<u>action plans</u>
Washington, D.C.	13.0	8.0	11.8	4.8	2.9	1.9	1.9	0.9
Atlanta	10.6	6.0	9.6	6.8	2.9	1.6	1.9	.9
Chicago	8.3	5.8	6.4	4.4	2.9	1.6	1.9	.9
3 Denver-Boulder	5.3	3.4	4.8	3.1	5.9	3.4	3.3	1.9
Philadelphia	8.8	4.4	7.4	4.2	2.9	1.6	1.9	.9
San Francisco	5.3	7.8	4.8	4.0	6.7	2.7	4.0	1.4
Houston	10.0	5.2	7.9	5.3	6.2	4.1	2.8	1.7
St. Louis	7.2	9.4	6.4	6.2	2.9	1.6	1.9	.9

Approaches To Grouping Agency Work Force

<u>Agency/department</u>	<u>Grouping</u>
Social Security Administration	Professional, administrative, technical, clerical, other, and mainstream occupations
Energy	Professional, administrative, technical, clerical, other, and mainstream occupations
Navy	Groupings of similar occupations by skills
Air Force	Groupings of similar occupations by skills
Treasury	Mainstream occupations
Interior	Individual occupations
National Aeronautics and Space Administration	Groupings of similar occupations by skills
Army	Professional occupations and grade levels

Use of CLF data

A further inconsistency in determining underrepresentation could occur because of the different approaches to decide when to use the "higher-of-two" CLF figures. Both OPM and EEOC require agencies to determine underrepresentation by comparing agency work force data with the higher of national or local CLF data. However, OPM has granted blanket authorization to use local CLF data for all occupational groupings at General Schedule grade 4 or below and for all regular nonsupervisory prevailing wage positions at grade 4 or below. EEOC has not granted such blanket authorization, although it may, in limited circumstances, allow an agency to use the lower CLF data after consultation with EEOC.

This could result in agencies' developing conflicting recruiting strategies. For example, an agency office in Ann Arbor, Michigan, is calculating underrepresentation for

200 affirmative action plans from December 1979 through February 1980. However, affirmative action instructions were not issued until December 11, 1979. These instructions required agencies to submit affirmative action plans by February 1, 1980. Although EEOC is reviewing plans that have been submitted, EEOC officials told us they do not plan to formally approve these plans for the first year.

ISSUES NEEDING RESOLUTION
TO AVOID FUTURE PROBLEMS

FEORP's primary objective is to recruit women and minorities for Federal employment. (Recruiting is a personnel management function of OPM.) This objective overlaps with affirmative action and equal employment opportunity program objectives. (These programs are administered by EEOC.) When two agencies share program responsibilities, they should carry them out in a fashion that promotes efficiency and eliminates inconsistency. FEORP and affirmative action responsibilities could be carried out more efficiently, which would minimize implementation problems and eliminate evaluation and policy inconsistencies. OPM and EEOC officials agree that their responsibilities need more clarification.

OPM and EEOC consultation to develop guidance

Throughout FEORP's initial development, OPM and EEOC staffs closely consulted on OPM's FEORP guidelines. After OPM issued FPM Letter 720-1 on July 17, 1979, close consultation continued to resolve any differences prior to issuing final guidelines (FPM Letter 720-2).

EEOC originally planned to formally consider OPM's final guidance (FPM Letter 720-2) at the August 14, 1979, meeting of EEOC Commissioners. However, competing workload demands in both agencies delayed this meeting. Therefore, it was necessary to postpone submission of the final guidance to the Commissioners until August 21, 1979.

On the basis of preliminary consultation with EEOC staff, OPM was confident that outstanding issues could be resolved to the general satisfaction of staff at both agencies. However, a few days before the August 21 meeting, additional issues were raised by EEOC staff which OPM officials thought had been resolved. These issues were (1) separability of FEORP plans from affirmative action plans, (2) the basis for determining underrepresentation, and

FEORP and affirmative action plans were completely consistent. Final Department guidelines on FEORP were not issued until mid-January 1980.

--On December 19, 1979, the Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) informed OPM that the Navy believed the requirements for FEORP must dovetail closely with affirmative action program planning requirements prescribed by EEOC. Navy officials felt that FEORP would have to be evaluated according to how well FEORP reinforced the equal employment opportunity objectives. As a result, the Navy did not develop FEORP plans until after EEOC issued affirmative action instructions.

--Treasury officials told us that the Department's FEORP plan would be useless without similar requirements for affirmative action plans. Treasury officials felt that the requirements for FEORP and affirmative action plans were not similar.

At congressional hearings on June 10, 1980, several agencies expressed similar concerns about problems they had in implementing FEORP and affirmative action plans administered by OPM and EEOC.

OPM AND EEOC EVALUATIONS

OPM is required to evaluate FEORP's effectiveness. EEOC is responsible for reviewing and approving affirmative action plans, including FEORP plans. Both OPM and EEOC developed internal plans for evaluating these programs; however, they did not fully discharge their responsibilities during fiscal year 1980 because they did not issue guidance about either FEORP or affirmative action to agencies on a timely basis.

OPM evaluation

To carry out its evaluation responsibility, OPM's Office of Affirmative Employment Programs--the office with primary responsibility for administering the program--prepared a plan for evaluating the first year of FEORP's implementation.

The first activity included developing program evaluation criteria and evaluating the program by using OPM's existing personnel management evaluation system by mid-September 1979. On August 16, 1979, OPM prepared a schedule of personnel management evaluation visits for fiscal year 1980 and included FEORP as a major area of emphasis.

However, FPM Letter 720-2 still required agency headquarters and agency components to have plans by October 1, 1979.

EEOC planned to issue affirmative action instructions in July 1979, which designated agency components; however, many agencies raised problems with the draft instructions, and the final instructions--Management Directive 702--was not issued until December 11, 1979, about 2-1/2 months after FEORP plans were to be developed. The Department of Health and Human Services testified at congressional hearings on June 10, 1980, that EEOC's delay in issuing affirmative action instructions added to the problems in establishing FEORP.

In an October 5, 1979, memo to the Director, Office of Government Employment, EEOC, the Department of the Treasury's Acting Director, Personnel, and the Acting Director, Equal Opportunity Programs, questioned how agency components could be expected to implement OPM's regulations without EEOC instructions designating the components required to develop FEORP plans.

Significant data collection requirements

OPM instructed agencies to calculate women and minority underrepresentation for each grade level within broad occupational groupings--professional, administrative, technical, clerical, and other--and mainstream occupations. Mainstream occupations are highly populous occupations which tend to lead to higher level positions within an agency. EEOC requires agencies to follow OPM's instructions for FEORP and also requires them to calculate underrepresentation for their six most populous occupations.

Several agencies were overwhelmed by these data requirements. For example, it took the Social Security Administration almost 7 months to calculate underrepresentation by the broad occupational groupings and for the mainstream occupations. Data had to be collected manually from 640 district offices and from 50 major components within the agency. Although the Social Security Administration has a data system which presents women and minority data by grade levels, it could not present women and minority data by occupations and by broad groupings. At the time of our review, it was planning to design a system to extract this information.

The Department of the Army estimated that it would take about 133,000 report pages to meet each data requirement.

Status of FEORP Plan Development at Eight Agencies

<u>Agency</u>	<u>Number of components required to submit plans</u>	<u>As of October 1, 1979</u>		<u>As of January 31, 1980</u>	
		<u>Agency guidance issued</u>	<u>Number of plans submitted by agency components</u>	<u>Agency guidance issued</u>	<u>Number of plans submitted by agency components</u>
Social Security Administration	50	No	0	No	50
Energy	35	No	0	Yes	7
Navy	21	No	0	No	0
Air Force	14	No	0	Yes	14
Treasury	12	No	0	Yes	10
Interior	10	Yes	1	Yes	8
National Aeronautics and Space Administration	11	Yes	1	Yes	11
Army	10	Yes	0	Yes	10

EEOC stated that the outcomes pointed out in the report of using the higher of either the national or local CLF as a basis for determining underrepresentation are arguably possible, but highly improbable in the short term and that, because minorities and women are generally underrepresented at higher grade levels, its policy is both practical and theoretically sound.

We continue to believe that using the higher of either the national or local CLF can overstate underrepresentation and result in the establishment of goals that are not realistic in terms of agencies' abilities to reasonably accomplish them. We believe that if unattainable goals are established, the Affirmative Action Program will lose credibility with agency managers who are to be held accountable for accomplishing the goals. Losing credibility could reduce the program's effectiveness.

CONCLUSIONS

Several emerging policy issues needing attention will affect, to a large extent, the future direction of the Government in recruiting, hiring, and promoting minorities and women in large enough numbers to achieve a representative work force.

On the basis of the statute, EEOC and OPM have interpreted a representative work force to be the CLF in each grade level, occupation, and geographic area. EEOC usually requires agencies to use the higher of either local or national CLF data as the baseline for measuring underrepresentation of women and minorities. Further, EEOC usually requires agencies to use the higher of either local or national CLF in establishing hiring goals.

EEOC's implementation of the legislation will create practical difficulties as agencies attempt to achieve equal employment opportunities. EEOC guidelines for FEORP and affirmative action do not adequately consider either the availability of minorities and women in the labor force or the specific time frames for eliminating underrepresentation. Failing to consider these two critical elements of affirmative action will make evaluation of agency efforts less effective and will not improve management accountability for achieving affirmative action.

To help the Government achieve affirmative action under civil service reform, the practical problems and the implication of using CLF as the baseline for defining representation and its relationship to affirmative action hiring goals must be understood and properly addressed. Additional efforts to collect information on availability of minorities and women should be undertaken. Also, EEOC should consider modifying its affirmative action guidelines to include availability and time frames in establishing affirmative action hiring goals.

RECOMMENDATIONS

We recommend that the Director, OPM, and the Chair, EEOC, work with Federal agencies to gather appropriate occupational data for relevant labor markets for various Federal occupations. This data should be collected by each SMSA, each State, and the country.

We further recommend that the Chair, EEOC, amend the affirmative action guidelines to include appropriate

The following table shows the results of the regional office's computation, assuming 100 vacancies for this occupation.

Hiring Goals for 1980 by Minority/Women

<u>Minority/women</u>	Percent to be used in calculating hiring goals (note a)	<u>Number of vacancies</u>	<u>Goal</u>
White women	60.4	100	60.4
Black men	6.8	100	6.8
Black women	6.2	100	6.2
Hispanic men	3.4	100	3.4
Hispanic women	3.8	100	3.8
Asian women	.6	100	.6
American Indian women	.2	100	.2

a/All percentages, except for Hispanic men, were arrived at by doubling the percent representation in the PLF for minorities and women. (See col. B, p. 15.)

The regional office would be required to hire about 81 minorities and women, or 81 percent of all new hires, during 1980. It is not required to establish hiring goals for either Asian men or American Indian men.

The two sources which the regional office would most likely use to fill vacancies with qualified individuals are college graduates having civil engineering degrees and the labor market of civil engineers in the six-State area--that office's normal recruiting area.

We found there was a limited supply of minorities and women from these sources in this area. For instance, in 1977--the most recent data available--there were only 46 minorities and women who graduated with degrees in civil engineering, about 7.1 percent of all civil engineering graduates in the six-State area. As of the 1970 census, only 306 minorities and women were classified as civil engineers, about 4.6 percent of all civil engineers in the six-State area.

internal supply, that is, minorities and women already employed in the Government. The distinction between entry positions and internal positions is important because it is generally at the entry-level positions that the greatest external availability becomes the relevant standard.

The availability of minorities and women in the CLF has considerable impact on an agency's ability to meet its hiring goals for many entry-level positions. In certain occupations there may be an ample supply of minorities and women available in the labor force. However, in many other occupations--such as entry-level professional and administrative occupations--there may not be enough. Therefore, it may take many years for an agency to meet the goal established using EEOC's method.

The external supply of individuals available for entry-level positions may be significantly less than they represent in CLF. As discussed in the preceding section of this report, the distribution of minorities and women in some occupations is significantly less than their distribution in the national CLF and may be further decreased for several other reasons. The external supply of potential individuals to meet affirmative action goals will most probably come from uncommitted individuals in the CLF. Uncommitted candidates can be defined as those who have either recently graduated from high schools, colleges, and universities or recently acquired new skills and those who are currently unemployed. These sources of supply are less than the supply that is theoretically available in the CLF. Also the external supply of persons is dependent on many other factors, such as wage rates and the geographic location of an agency.

Following is an example ^{1/} of the problems an agency could encounter in trying to meet EEOC's goal-setting requirements. An agency employs civil engineers as a mainstream occupation. This agency has a regional office located in the Midwest and normally recruits in a six-State area: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. This office has the following distribution of minorities and women employed as civil engineers as of June 30, 1978: 92.2 percent White men, 1.0 percent White women, 1.0 percent Black men, 0.0 percent Black women, 2.0 percent Hispanic men, 0.0 percent

^{1/}Based on Quantitative Management Model, U.S. Department of the Interior Multi-year AA/EEO Plan, 1977, and GAO computations.

- Identify their three most populous professional and three most populous administrative occupations, unless the majority of occupations in the work force are in the wage-grade system. In that case the agency must identify the three most populous occupations in the wage system and the three most populous in the combined professional/administrative category.
- Determine underrepresentation in the six populous occupations for women and each minority group. Agencies are required to calculate the percentage of minorities and women in each grade of the six occupations and compare it against the CLF to determine underrepresentation by using the higher of either national or local CLF statistics. For professional occupations, agencies are required to use the higher of either national or local professional labor force (PLF) statistics.

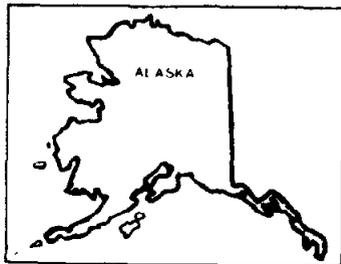
As an initial step, EEOC has required each agency to select two of the six most populous occupations which are underrepresented and target them for affirmative action in fiscal year 1980. Agencies are further required to compute hiring goals for each occupation by multiplying the number of projected vacancies by the percentage by which women and each minority group are represented in the higher of either local or national CLF statistics if the occupations are non-professional. For professional occupations, EEOC requires agencies to use PLF statistics provided in its affirmative action guidelines instead of CLF statistics.

EEOC is also requiring agencies to double the rate of new hires for severely underrepresented groups and considers anything more than an underrepresentation index of 50 in a target group as severe underrepresentation.

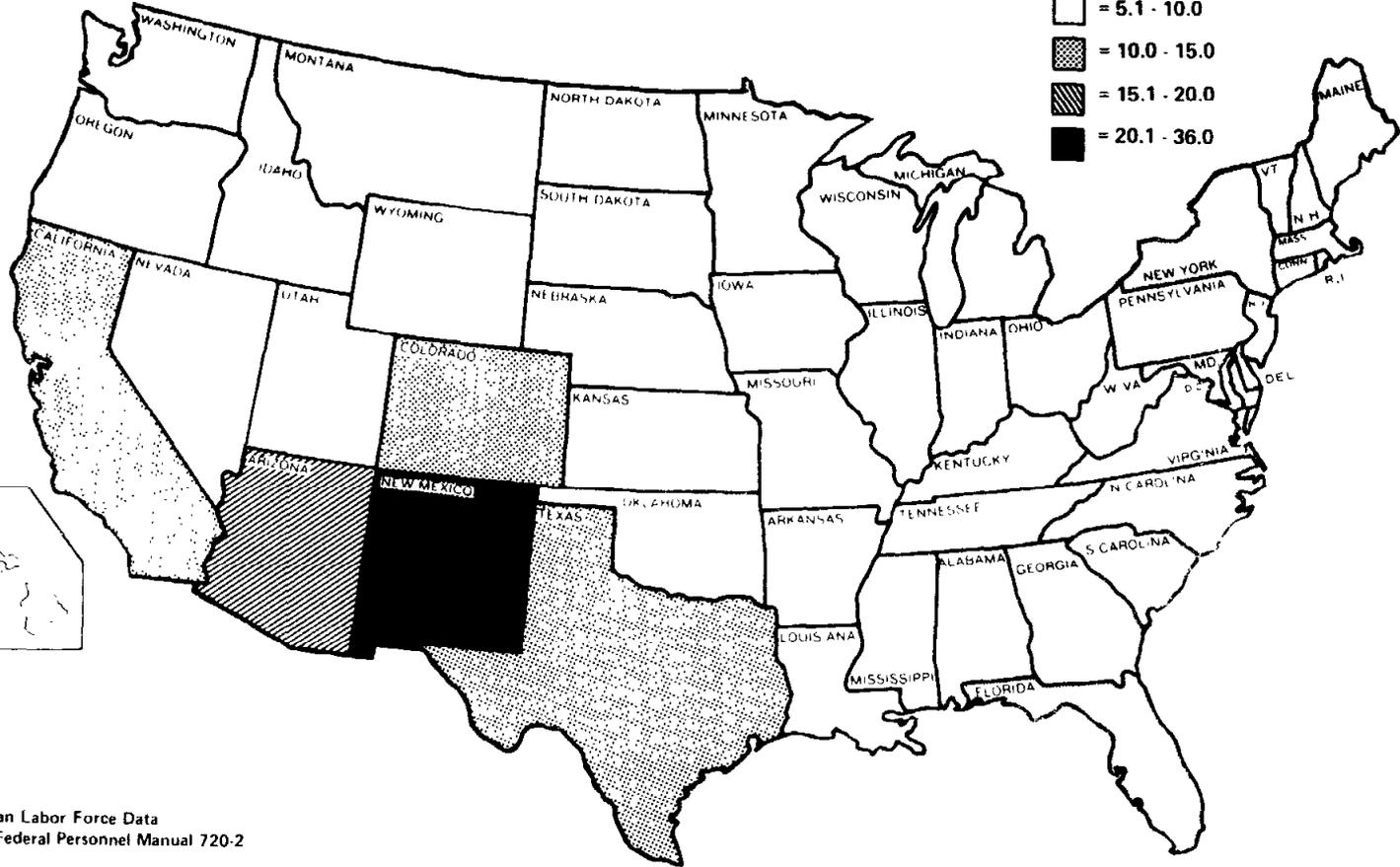
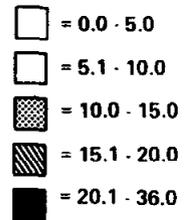
However, other factors could affect the goal-setting process, such as

- the impact which the external and internal availability of women and minorities will have on the goal-setting process and
- the time frames established for achieving the hiring goals and eliminating underrepresentation.

HISPANIC CIVILIAN LABOR FORCE
AS PERCENT OF TOTAL CIVILIAN LABOR FORCE
(BY STATES OF THE U.S.:1970)



PERCENT OF TOTAL BY STATE



10

SOURCE: Civilian Labor Force Data
extracted from Federal Personnel Manual 720-2

Further, they believe the use of national figures for local areas where there are lower concentrations of minorities is justified because both agencies consider the Government to be a national employer.

On the basis of this analysis, agencies compute an underrepresentation index--a single figure in which the percentage of a particular group, women and minority, in a specific grade and occupation is divided by its percentage in the CLF and multiplied by 100. An index of 100 indicates equal representation in the Federal and the civilian labor force; an index of 99 or less indicates underrepresentation. The lower the index, the greater the degree of underrepresentation. An index of 101 or greater indicates overrepresentation.

Once the underrepresentation index has been developed, agencies are required to design and develop recruiting programs to eliminate underrepresentation of women and minority groups.

Using the higher of local or national CLF statistics to measure underrepresentation

Agencies are generally required to use the higher of either local or national CLF statistics as the baseline for determining underrepresentation for women and each minority group in each occupation and grade level within each geographic location. (See the comments on p. 7.)

The maps on pages 9 and 10, based on the data provided to agencies in OPM's guidance for developing FEORP plans, show the representation of Black and Hispanic CLF throughout the country. As can be seen from the geographic dispersions with its concentration of minorities in certain geographic locations, there will be practical problems in relocating people to achieve a representative work force.

To illustrate the practical consequences of using the higher statistics, we obtained local and national CLF statistics by women and minority groups for 21 cities from FFM Letter 720-2. (See apps. I and II.) We collected data on 11 Federal regional cities and 10 other cities.

In each of the 21 cities, the composite figure of minorities and women which resulted from using the "higher-of-two" was greater than the composite figure of minorities and women in either the local civilian labor market or the national

status quo and not meet the legislative intent. They further stated that requiring agencies to use CLF for defining underrepresentation is an acceptable social goal which will help eradicate past effects of sociological and institutional discrimination.

Agencies, in commenting on OPM's proposed regulations, expressed concerns about the definition of the labor force as being the CLF because it did not consider the legitimate differences in knowledge, skills, and abilities among people; it relied on census data which was outdated; and it included individuals under 18 years of age who were not generally eligible for Federal employment.

OPM recognized these concerns but has maintained that the definition is the correct interpretation of the law.

At congressional hearings on June 10, 1980, OPM testified that it continues to hear complaints about the data that must be used for FEORP. Officials testified that the agency concerns relate to the unrealistic expectations and unfair criticisms that are raised by use of CLF data without regard to relevant labor markets. Agencies are concerned that using CLF for determining underrepresentation will result in overstating the degree of underrepresentation because CLF does not segment the labor force by geographic area and by work-related qualifications. OPM also testified it agreed that relevant occupational and labor market data may be considered by agencies in designing programs and in defining expectations but that CLF data as provided by OPM must be used to determine underrepresentation.

USING CLF TO MEASURE UNDER- REPRESENTATION FOR FEORP

All eight Federal agencies in our review used the higher of either local or national CLF statistics as the basis for measuring underrepresentation of minorities and women in FEORP. Both OPM and EEOC require agencies to use this method as the baseline for determining the severity of underrepresentation in an agency's work force and for planning recruiting efforts.

Using the higher of either local or national CLF statistics as the baseline might well serve as a starting point for measuring underrepresentation on a macro basis. However, this definition when applied to individual grade levels, individual occupations, and individual geographic areas presents practical problems for agencies because it omits such

implementation to an appropriate agency official. Each agency is also required to have an up-to-date recruitment plan for positions at various organization levels and geographic locations within an agency. These plans must be available for review by OPM or EEOC.

OBJECTIVES, SCOPE, AND METHODOLOGY

To determine how efficiently and effectively section 310 was being implemented, we examined OPM and EEOC policies, regulations, guidance, and instructions issued to agencies on FEORP. We also reviewed EEOC's Management Directive on preparing Federal Affirmative Action Program plans issued on December 11, 1979, which incorporated FEORP into the affirmative action process.

We also examined into OPM's and EEOC's effectiveness in discharging their responsibilities for FEORP. We interviewed OPM and EEOC officials and reviewed management plans and other pertinent documents.

To identify how agencies were complying with OPM and EEOC regulations, we interviewed agency personnel and EEO officials and reviewed agency guidelines, policies, instructions, and other documents in eight department and agency headquarters: the Departments of Energy, the Army, the Navy, the Air Force, the Interior, and the Treasury; the National Aeronautics and Space Administration; and the Social Security Administration.

Since agencies did not have their recruiting and affirmative action plans for fiscal year 1980 approved by EEOC at the time of our review, our report does not comment on the adequacy of agency recruiting or affirmative action approaches to eliminate underrepresentation of minorities and women.

As implemented, the scope of the Minority Recruitment Program includes white women. The Equal Employment Opportunity Commission (EEOC) believed that including women was necessary to keep the program consistent with Federal equal employment policies. The program was later renamed the Federal Equal Opportunity Recruitment Program (FEORP).

FEORP is intended to be a recruitment program and not a selection program for minorities and women. It is intended to increase the number of minorities and women in applicant pools by instituting meaningful outreach and recruitment efforts. Increased representation of minorities and women in applicant pools should eventually result in more representative hiring.

FEORP considers external and internal recruiting methods in designing programs to increase applicant pools. External recruitment involves locating, identifying, and assisting in employing qualified and qualifiable applicants. Internal recruitment involves elements of career progression--advancing the career of employees by providing them with the necessary training to make them qualified to move into more responsible positions--and efforts to identify qualified, but underutilized, employees from underrepresented groups for advancement or movement into other career fields.

On June 10, 1980, the Subcommittee on Civil Service, House Committee on Post Office and Civil Service, held hearings on equal employment opportunity and affirmative action resulting from implementation of the Civil Service Reform Act of 1978. The Subcommittee was specifically concerned with the progress made in implementing section 310 of the act.

Agencies generally testified that the act provided new flexibilities for promoting more efficient, effective, and aggressive affirmative action. However, most of the agencies said it was too soon to measure progress as a result of their specific efforts to implement FEORP since operational plans and programs were generally put in full operation only in late 1979 or early 1980. Agencies also raised concerns about the emerging issues addressed in this report and their ability to develop more effective efforts in achieving a representative work force.

The Subcommittee was concerned that progress had been slower than anticipated. It said it would hold hearings later in 1980 to continue monitoring the progress in implementing FEORP.

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APPENDIX		
IV	Availability of minorities and women in selected professional occupations	40
V	Letter dated August 15, 1980, from the Office of Personnel Management	41
VI	Letter dated August 21, 1980, from the Equal Employment Opportunity Commission	43

ABBREVIATIONS

BLS	Bureau of Labor Statistics
CLF	civilian labor force
EEOC	Equal Employment Opportunity Commission
FEORP	Federal Equal Opportunity Recruitment Program
FPM	Federal Personnel Manual
GAO	General Accounting Office
OPM	Office of Personnel Management
PLF	professional labor force
SMSA	Standard Metropolitan Statistical Area

the two agencies should strive for consistency in requirements to avoid confusion in complying with each program's requirements and to avoid undue workload demands on Federal agencies.

GAO agrees that internal recruitment of women and minorities will result in movement of women and minorities within the Federal work force. However, GAO believes that a major source of improvement in total representation of women and minorities in Federal agencies will occur through entry level positions which have historically been filled through the recruitment of individuals currently outside Government employment.

The Equal Employment Opportunity Commission generally agreed with the conclusions and recommendations. However, the Commission suggested that GAO modify the recommendation for obtaining data reflecting the availability of minorities and women for various Federal occupations. GAO concurred in the Commission's suggestion. This point is discussed further on page 19. Additional comments by the Commission are discussed in appropriate sections of the report.

RECOMMENDATIONS

The Director, Office of Personnel Management, and the Chair, Equal Employment Opportunity Commission, should:

- Clarify their respective responsibilities for managing the Federal Equal Opportunity Recruitment Program. This would include determining (1) the authority for respective responsibilities and (2) actions each agency must take when issuing and modifying regulations and guidelines.
- Clarify common evaluation responsibilities and how they will be coordinated to eliminate duplication and inconsistency.
- Identify and eliminate inconsistencies between the recruitment program and the Affirmative Action Program so that the recruitment program becomes an effective element of affirmative action.
- Examine the data requirements for recruitment plans and determine what data can be used from the Office's Central Personnel Data File to minimize agencies' data burden and allow them more time to develop and implement the plans.
- Work with Federal agencies to gather appropriate occupational data on relevant labor markets for various Federal occupations. This data should be collected for each Standard Metropolitan Statistical Area, each State, and the country.

for the annual report, it was a status report on the program which did not address the program's effectiveness. Further, as of June 16, 1980, the Office of Personnel Management could not provide GAO with the criteria to be used in selecting agency recruitment plans for review.

Internal management plans of the Equal Employment Opportunity Commission called for reviewing 200 agency affirmative action plans from December 1979 through February 1980. The affirmative action plans were to include recruitment plans; however, instructions for developing affirmative action plans were not issued until December 1979 and did not require plans to be submitted until February 1, 1980. (See pp. 27 and 28.)

ISSUES NEEDING RESOLUTION

Because of the high degree of interrelationship between the recruitment program and the Affirmative Action Program, the Office of Personnel Management and the Equal Employment Opportunity Commission need to coordinate their activities to assure a clear understanding of their respective responsibilities, eliminate potential duplicative efforts, and minimize the burden the two programs place on agencies.

The Office of Personnel Management and the Commission consulted closely on the development of guidelines for the recruitment program. Several issues had not been resolved prior to the Office's issuance of final guidance. The two agencies have since stated their respective responsibilities for the recruiting program and the Affirmative Action Program and have drafted a memorandum of understanding. However, GAO believes these steps are not adequate because they do not clearly delineate (1) who

- How the labor force of the United States is to be defined. (See pp. 5 and 6.)
- How to use the civilian labor force 1/ for measuring underrepresentation for the recruitment program. (See pp. 6-11.)
- How to integrate the use of the civilian labor force into the affirmative action goal-setting process. (See pp. 11-17.)

Issues affecting the recruitment program also affect the Commission's Federal Affirmative Action Program since recruiting is a basic part of the process of selecting and hiring. The Office of Personnel Management and the Equal Employment Opportunity Commission need to work together to successfully resolve the above issues and improve the future administration of both the Federal Equal Opportunity Recruitment Program and the Affirmative Action Program.

STARTUP AND STATUS OF THE PROGRAM

None of the eight agencies in GAO's review had operational recruitment plans in place by October 1, 1979. However, all agencies, except one, had developed plans by January 31, 1980.

Agency officials told GAO that recruitment plans were delayed because of:

- Late program guidance. Guidance from the Office of Personnel Management was

1/The civilian labor force is defined as all persons 16 years of age and over, except those in the Armed Forces, who are employed or who are unemployed and seeking employment.

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